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107044-0003P1

## DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below-named inventor, I hereby declare that:

My residence, post-office address, and citizenship are as stated below next to my name.

I believe I am an original, first, and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled APPARATUS AND METHODS FOR SENSOR-LESS OPTIMIZATION OF METHANOL CONCENTRATION IN A DIRECT METHANOL FUEL CELL SYSTEM, the specification of which is attached hereto and identified by Cesari and McKenna File No. 107044-0003P1.

I hereby state that I have reviewed and understand the contents of the above-identified application specification, including the claims, as amended by any amendment specifically referred to herein.

I acknowledge the duty to disclose all information known to me that is material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code §119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate filed by me on the same subject matter having a filing date before that of the application on which priority is claimed:

None

I hereby claim the benefit under Title 35, United States Code §119(e) of the following U.S. provisional application:

None

I hereby claim the benefit under Title 35, United States Code §120, of the United States Application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United State Code, §112, I acknowledge the duty to disclose all information that is material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56, and which became available to me between the filing date of the prior application and the national or PCT international filing date of this application:

Pending Patent Application: Serial No. 09/721,290,  
filed: November 22, 2000

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint Michael E. Attaya, Reg. No. 31,731; Charles J. Barbas, Reg. No. 32,959; Joseph H. Born, Reg. No. 28,283; John L. Capone, Reg. No. 41,656; Robert A. Cesari, Reg. No. 18,381; Kathleen Chapman, Reg. No. 46,094; Duane H. Dreger, Reg. No. 48,836; Howard S. Fuhrman, Reg. No. 33,175; Joseph E. Funk, Reg. No. 25,974; A. Sidney Johnston, Reg. No. 29,548; William A. Loginov, Reg. No. 34,863; John F. McKenna, Reg. No. 20,912; Martin J. O'Donnell, Reg. No. 24,204; Thomas C. O'Konski, Reg. No. 26,320; Edwin H. Paul, Reg. No. 31,405; Michael R. Reinemann, Reg. No. 38,280; Robert E. Rigby, Jr., Reg. No. 36,904; Rita M. Rooney, Reg. No. 30,585; and Patricia A. Sheehan, Reg. No. 32,301, Cesari and McKenna, LLP, 88 Black Falcon Avenue, Boston, MA 02210, jointly, and each of them severally, my attorneys and attorney, with full power of substitution, delegation and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent and to transact all business in the Patent and Trademark Office connected therewith. Please direct all telephone calls to Michael E. Attaya at (617) 951-2500. Please address all correspondence to Michael E. Attaya.

William P. Acker

William P. Acker

Nov 5, 2001

Date

Residence: 5 Willow Spring Drive  
Rexford, NY 12148

Citizenship United States of America

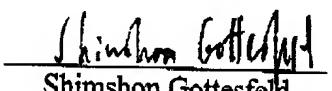
Post Office Address: Same as above

PATENTS  
107044-0003P1  
Michael S. Adler      Date 11/05/01

Residence: 2238 Budd Terrace  
Niskayuna, NY 12309

Citizenship United States of America

Post Office Address: Same as above

  
Shimshon Gottesfeld      Date Nov 5, 2001

Residence: 3404 Rosendale Road  
Niskayuna, NY 12309

Citizenship United States of America

Post Office Address: Same as above